

*Before the Federal Communications Commission
Washington, D.C. 20554*

In the Matter of:)	
)	
Advanced Television Services and)	MB Docket No. 87-268
Their Impact upon the Existing)	
Television Broadcast Service)	

Directed to: The Commission

ERRATUM

Thomas Broadcasting Company ("Thomas"), licensee of WOAY-TV and permittee of WOAY-DT, Oak Hill, West Virginia, by its attorneys, hereby respectfully submits its Erratum to its "Comments and Request for Alternative Channel Designation" in the above-captioned proceeding, filed yesterday, January 25, 2007.

Counsel for Thomas has realized that the Engineering Statement referenced in the "Comments and Request for Alternative Channel Designation" inadvertently was not attached to the electronic file submitted to the Commission through its Electronic Comment Filing System ("ECFS"). Accordingly, that Engineering Statement is being submitted herewith, attached to a copy of the "Comments and Request for Alternative Channel Designation" as originally filed.


Respectfully submitted,

THOMAS BROADCASTING COMPANY

FLETCHER, HEALD & HILDRETH, P.L.C.
1300 N. 17th Street
Eleventh Floor
Arlington, Virginia 22209
(703) 812-0400

January 26, 2007

By:


Frank R. Jazzo
Anne Goodwin Crump

Its Attorneys

*Before the Federal Communications Commission
Washington, D.C. 20554*

In the Matter of:)	
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Advanced Television Services and)	MB Docket No. 87-268
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Directed to: The Commission

COMMENTS AND REQUEST FOR ALTERNATIVE CHANNEL DESIGNATION

Thomas Broadcasting Company ("Thomas"), licensee of WOAY-TV and permittee of WOAY-DT, Oak Hill, West Virginia, by its attorneys, hereby respectfully submits its Comments and Request for Alternative Channel Designation in response to the Commission's *Seventh Further Notice of Proposed Rule Making*, FCC 06-150, released October 20, 2006 ("*SFNPRM*"). With respect thereto, the following is stated:

1. WOAY-TV is licensed to operate on Channel 4, and it was initially assigned Channel 50 as its companion DTV channel. Pursuant to the *SFNPRM*, WOAY-DT was assigned Channel 4 as its Tentative Channel Designation ("TCD") for post-transition operation. In accordance with the procedures outlined in Paragraph 25 of the *SFNPRM*, however, in light of the status of WOAY-DT's TCD as a low-band VHF channel, Thomas is now seeking the designation of Channel 50 for WOAY-DT as set forth in the attached Engineering Statement. This alternative channel designation would serve the public interest by allowing WOAY-DT to provide improved service to the public.

2. Thomas is aware of the significant difficulties encountered by or projected for the operations of other DTV stations on Channel 4 and other low-band VHF channels. In addition,

Thomas has gained experience with operation of a DTV facility on Channel 50 through the operation of its currently constructed facilities pursuant to Special Temporary Authority, and it has concluded that the technical characteristics of the Channel 50 facility proposed herein would well serve its community of license and the surrounding area.


3. In addition, Thomas has invested substantial funds in the construction of DTV facilities on Channel 50, WOAY-DT's originally allotted DTV channel and the channel specified in its current construction permit. Moreover, this investment has been relatively greater for WOAY-DT, located in the extremely small Bluefield-Beckley-Oak Hill, West Virginia market, which is ranked as Nielsen Market No. 149, than would be the case for a station located in a larger market. The small size of the market necessarily limits the amount of revenues available to the station, but there is no difference in the cost of DTV equipment. Thus, that equipment is relatively more expensive, and substantially more so, in a small market than in a larger market. The change of WOAY-DT's TCD to Channel 50 will prevent that investment from being lost. The financial savings will allow the station to invest more funds in other aspects of station operation, including programming, and will permit completion of the station's final, full-power DTV facilities at an earlier date. Thus, the change in TCD will enable WOAY-DT to better serve the public interest. Accordingly, in light of these public interest benefits, Thomas is now seeking Channel 50 as an alternative TCD with the facilities specifications set forth in the attached Engineering Statement.

4. As demonstrated in the attached Engineering Statement, the proposed facilities comply with the Commission's technical rules and policies.

WHEREFORE, the premises considered, Thomas respectfully requests that WOAY-DT be assigned Channel 50 as its TCD in accordance with the attached Engineering Statement.

Respectfully submitted,

THOMAS BROADCASTING COMPANY

By: 
Frank R. Jazzo
Anne Goodwin Crump

Its Attorneys

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January 25, 2007

Engineering Statement
in support of
COMMENTS in MB DOCKET 87-268
prepared for
Thomas Broadcasting Company
WOAY-TV Oak Hill, West Virginia
Facility ID 66804

This engineering statement has been prepared on behalf of *Thomas Broadcasting Company* (“*Thomas*”), licensee of WOAY-TV (Facility ID 66804, Oak Hill, WV), in support of *Comments* being filed in the Seventh Further Notice of Proposed Rulemaking (“FNPRM”), Media Bureau Docket 87-268.¹ The subject docket sets forth a proposed new digital television (“DTV”) allotment table for the post-transition period. A Tentative Channel Designation (“TCD”) is listed in Appendix B of the FNPRM for each eligible television station. *Thomas* requests an alternative channel assignment for WOAY-TV.

The FNPRM (§ 25-27) allows qualifying licensees to propose an alternative channel assignment. *Thomas* herein proposes that the WOAY-TV TCD be changed from Channel 4 to Channel 50.

Discussion - Background

The licensed WOAY-TV analog facility is on Channel 4 (BLCT-449) and its digital operation is authorized on Channel 50 (BMPCDT-20061012ACE). *Thomas* successfully elected its analog Channel 4 for post-transition digital operation of WOAY-TV in the first round of channel elections (see BFRCT-20050812ABX).

Thomas’ pre-election certification on Form 381 (BCERCT-20041104BCG) specified that the post-transition WOAY-TV DTV facility will be operated with facilities corresponding to its digital Channel 50 “maximization” Construction Permit specified in file number BPCDT-20040722AAQ. The certified parameters on Channel 50 involve an effective radiated power (“ERP”) of 1000 kW at 236 meters antenna height above average terrain (“HAAT”).

¹*Advanced Television Systems and Their Impact upon the Existing Television Broadcast Service*, MB Docket No. 87-268, FCC 06-150, released October 20, 2006.

Engineering Statement

(page 2 of 3)

The current Channel 4 TCD is a low-VHF channel. Therefore, WOAY-TV is eligible under the FNPRM to request an alternate channel assignment.

Proposed Alternative Channel Assignment

Thomas proposes herein to employ Channel 50, its original digital channel, in lieu of the current TCD Channel 4. No change to the certified facility parameters of BPCDT-20040722AAQ (1000 kW at 236 meters) is proposed. The results of an engineering interference analysis per OET Bulletin 69² are supplied in **Table 1**, and demonstrate that new interference to any other station's TCD does not exceed the 0.1 percent limit in compliance with the FNPRM.

The engineering analysis was conducted using the same methodology that the Commission's staff employed to identify conflicts during the three election rounds, as described in the following text from the FNPRM (§ 21):

"New interference to post-transition DTV operations was defined as interference beyond that caused by existing analog and DTV operations, as set forth in the certification database information. ... In performing conflict analyses, the staff applied the standard that an interference conflict exists when it was predicted that more than 0.1 percent new interference would be caused to another station."

It is acknowledged that in seeking the modified parameters, *Thomas* will accept interference from any other TCD already approved. The service and interference statistics for the WOAY-TV present Channel 4 TCD and proposed Channel 50 TCD are summarized below.

	<u>Present TCD 4</u>	<u>Proposed TCD 50</u>
Service Area (sq. km)	20,819.7	18,994.6
Service Population (2000 census)	580,809	516,197
Interference	3.02 %	0.69 %

² FCC Office of Engineering and Technology Bulletin number 69, *Longley-Rice Methodology for Evaluating TV Coverage and Interference*, February 6, 2004 ("OET-69"). The implementation of OET-69 for this study followed the guidelines of OET-69 as specified therein. A standard cell size of 2 km was employed with 2000 Census data. Comparisons of various results of this computer program (run on a Sun processor) to the Commission's implementation of OET-69 show excellent correlation.

Engineering Statement
(page 3 of 3)

Class A Station Protection

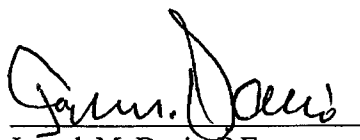
No new interference to any authorized Class A Television station will result from this proposal.

Conclusion

Thomas seeks herein to obtain an alternative channel assignment for WOAY-TV. Channel 50 is proposed, with no change to the certified facility parameters. Interference to any other station's TCD does not exceed 0.1 percent.

Certification

The undersigned hereby certifies that the foregoing statement was prepared by him or under his direction, and that it is true and correct to the best of his knowledge and belief.



Joseph M. Davis, P.E.
January 25, 2007

Cavell, Mertz & Davis, Inc.
7839 Ashton Avenue
Manassas, VA 20109
703-392-9090

List of Attachments

Table 1 Interference Analysis Results Summary

Table 1
INTERFERENCE ANALYSIS RESULTS SUMMARY
PROPOSED CHANNEL 50 PARAMETERS

prepared for
Thomas Broadcasting Company
WOAY-TV Oak Hill, West Virginia
Facility ID 66804

Ch	Call Sign Service	City/State File Number	Fac. ID	Latitude Longitude	Power HAAT	Distance Bearing	Baseline Population	New Interference Population	Percent
49	WLFG DT	GRUNDY, VA BPCDT-19991029AGK	37808	36 49 47 82 04 45	1000 662	149.7 213.5	1,172,435	0	0.00
49	WTAP-TV DT	PARKERSBURG, WV BLCDT-20040423ABG	4685	39 20 59 81 33 56	47.4 193	158.7 347.0	348,634	0	0.00
50	WPCB-TV DT	GREENSBURG, PA BLCDT-20030409ABC	13924	40 23 34 79 46 54	362 264	295.1 23.1	2,646,671	0	0.00
50	WAXN-TV DT	KANNAPOLIS, NC BLCDT-20020426AAN	12793	35 15 41 80 43 38	50 348	301.5 172.7	2,040,213	0	0.00
50	WDTN DT	DAYTON, OH BMPCDT-20030604ACN	65690	39 43 07 84 15 22	1000 323	333.1 307.0	3,497,012	0	0.00